



**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIK MULLER,

Defendant.

2:11-CR-416-GMN-(RJJ)

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on December 11, 2012, defendant ERIK MULLER pled guilty to Count Four of a Six-Count Criminal Indictment charging him in Count Four with Transporting Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(1) and (b). Criminal Indictment, ECF No. 5.

This Court finds defendant ERIK MULLER agreed to the forfeiture of the property set forth in the Forfeiture Allegation of the Criminal Indictment and the Bill of Particulars and in the Plea Memorandum. Criminal Indictment, ECF No. 5; Bill of Particulars, ECF No. 14.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the Bill of Particulars, and agreed to in the Plea Memorandum, and the offense to which defendant ERIK MULLER pled guilty. Criminal Indictment, ECF No. 5; Bill of Particulars, ECF No. 14.

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1           The following assets are subject to forfeiture pursuant to Title 18, United States Code,  
2 Sections 2253(a)(1) and 2253(a)(3):

- 3           1.     Compaq PC Tower, Serial No. CNH6350BNK;
- 4           2.     USB Storage Devices, Serial No. Unknown;
- 5           3.     4 GB Flash Card, Serial No. Unknown;
- 6           4.     Apple iPhone, Serial No. BCGA1303A;
- 7           5.     MacBook Pro Laptop, Serial No. WQ0311UTATM; and
- 8           6.     All visual depictions described in Title 18, United States Code, Sections 2251,  
9 2251A, 2252 and 2252A, and all items containing such visual depictions, which were transported,  
10 shipped and received in violation of Title 18, United States Code, Section 2252A, and all property,  
11 real and personal, used and intended to be used to commit and promote the commission of the  
12 aforesaid offense, including but not limited to, the following properties: computer images, including  
13 movie files, depicting a minor engaging in sexually explicit conduct and the diskettes and hard drive  
14 on which they are maintained ("property").

15           This Court finds the United States of America is now entitled to, and should, reduce the  
16 aforementioned property to the possession of the United States of America.

17           NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
18 United States of America should seize the aforementioned property.

19           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
20 ERIK MULLER in the aforementioned property is forfeited and is vested in the United States of  
21 America and shall be safely held by the United States of America until further order of the Court.

22           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
23 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
24 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
25 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
26 the name and contact information for the government attorney to be served with the petition, pursuant

1 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
3 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
5 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
6 following address at the time of filing:

7 Michael A. Humphreys  
8 Assistant United States Attorney  
9 Daniel D. Hollingsworth  
10 Assistant United States Attorney  
Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
12 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
13 following publication of notice of seizure and intent to administratively forfeit the above-described  
14 property.

15 DATED this 11th day of December, 2012.

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19 UNITED STATES DISTRICT JUDGE  
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